

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ORIGINAL

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UNITED STATES OF AMERICA,

- v. -

ANDRE CALIX,
a/k/a "Greg Bernard,"

Defendant.

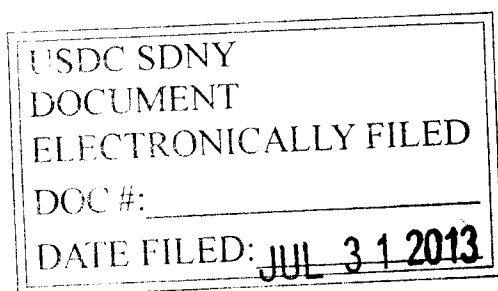
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INDICTMENT
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COUNT ONE

The Grand Jury charges:

1. On or about June 3, 2013, in the Southern District of New York, ANDRE CALIX, a/k/a "Greg Bernard," the defendant, by force and violence, and by intimidation, knowingly did take and attempt to take from the person and presence of another, property and money and other things of value belonging to, and in the care, custody, control, management, and possession of a bank, to wit, the defendant, by intimidation, robbed a Capital One Bank branch located at 1407 Broadway, New York, New York, the deposits of which were then insured by the Federal Deposit Insurance Corporation.

(Title 18, United States Code, Section 2113(a).)



JUDGE PATTERSON

COUNT TWO

The Grand Jury further charges:

2. On or about June 10, 2013, in the Southern District of New York, ANDRE CALIX, a/k/a "Greg Bernard," the defendant, by force and violence, and by intimidation, knowingly did take and attempt to take from the person and presence of another, property and money and other things of value belonging to, and in the care, custody, control, management, and possession of a bank, to wit, the defendant, by intimidation, robbed a Sovereign Bank branch located at 1350 Broadway, New York, New York, the deposits of which were then insured by the Federal Deposit Insurance Corporation.

(Title 18, United States Code, Section 2113(a).)

COUNT THREE

The Grand Jury further charges:

3. On or about June 15, 2013, in the Southern District of New York, ANDRE CALIX, a/k/a "Greg Bernard," the defendant, by force and violence, and by intimidation, knowingly did take and attempt to take from the person and presence of another, property and money and other things of value belonging to, and in the care, custody, control, management, and possession of a bank, to wit, the defendant, by intimidation, robbed a Sovereign Bank branch located at 2275 Broadway, New York, New York, the

deposits of which were then insured by the Federal Deposit Insurance Corporation.

(Title 18, United States Code, Section 2113(a).)

COUNT FOUR

The Grand Jury further charges:

4. On or about July 1, 2013, in the Southern District of New York, ANDRE CALIX, a/k/a "Greg Bernard," the defendant, by force and violence, and by intimidation, knowingly did take and attempt to take from the person and presence of another, property and money and other things of value belonging to, and in the care, custody, control, management, and possession of a bank, to wit, the defendant, by intimidation, robbed an HSBC Bank branch located at 739 Amsterdam Avenue, New York, New York, the deposits of which were then insured by the Federal Deposit Insurance Corporation.

(Title 18, United States Code, Section 2113(a).)

COUNT FIVE

The Grand Jury further charges:

5. On or about July 2, 2013, in the Southern District of New York, ANDRE CALIX, a/k/a "Greg Bernard," the defendant, by force and violence, and by intimidation, knowingly did take and attempt to take from the person and presence of another, property and money and other things of value belonging to, and

in the care, custody, control, management, and possession of a bank, to wit, the defendant, by intimidation, robbed an HSBC Bank branch located at 2411 Broadway, New York, New York, the deposits of which were then insured by the Federal Deposit Insurance Corporation.

(Title 18, United States Code, Section 2113(a).)

COUNT SIX

The Grand Jury further charges:

6. On or about July 8, 2013, in the Southern District of New York, ANDRE CALIX, a/k/a "Greg Bernard," the defendant, by force and violence, and by intimidation, knowingly did take and attempt to take from the person and presence of another, property and money and other things of value belonging to, and in the care, custody, control, management, and possession of a bank, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and in committing, and in attempting to commit, such offense, did assault a person, and put in jeopardy the life of a person by the use of a dangerous weapon and device, to wit, the defendant, by brandishing a firearm and by intimidation, robbed an HSBC Bank branch located at 250 Park Avenue, New York, New York, the deposits of which were then insured by the Federal Deposit Insurance Corporation.

(Title 18, United States Code, Section 2113(a) & (d).)

COUNT SEVEN

The Grand Jury further charges:

7. On or about July 8, 2013, in the Southern District of New York, ANDRE CALIX, a/k/a "Greg Bernard," the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the offense charged in Count Six of this Indictment, knowingly did use and carry a firearm, and, in furtherance of such crimes, did possess a firearm, to wit, the defendant possessed a 9 mm Hi-Point C-9 pistol, which the defendant brandished at an HSBC Bank branch located at 250 Park Avenue, Manhattan, New York.

(Title 18, United States Code, Section 924(c)(1)(A)(ii).)

COUNT EIGHT

The Grand Jury further charges:

8. On or about July 17, 2013, in the Southern District of New York, ANDRE CALIX, a/k/a "Greg Bernard," the defendant, by force and violence, and by intimidation, knowingly did take and attempt to take from the person and presence of another, property and money and other things of value belonging to, and in the care, custody, control, management, and possession of a bank, to wit, the defendant, by intimidation, robbed an HSBC Bank branch located at 2411 Broadway, New York, New York, the

deposits of which were then insured by the Federal Deposit Insurance Corporation.

(Title 18, United States Code, Section 2113(a).)

COUNT NINE

The Grand Jury further charges:

9. On or about July 18, 2013, in the Southern District of New York, ANDRE CALIX, a/k/a "Greg Bernard," the defendant, after having been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, to wit: (i) a conviction on or about September 5, 2012, in New York State Supreme Court, New York County, for Criminal Sale of a Controlled Substance in the Third Degree, Sale of a Narcotic Drug, a Class B Felony, in violation of New York Penal Law Section 220.39 ; (ii) a conviction on or about March 3, 2005, in New York State Supreme Court, New York County, for Attempted Criminal Possession of a Controlled Substance in the Third Degree, Possession of a Narcotic Drug With the Intent to Sell, a Class C Felony, in violation of New York Penal Law Section 220.16; and (iii) a conviction on or about August 30, 2001, in New York State Supreme Court, New York County, for Criminal Possession of a Controlled Substance in the Third Degree, Possession of a Narcotic Drug With the Intent to Sell, a Class B Felony, in violation of New York Penal Law Section 220.16;

knowingly did possess in and affecting commerce a firearm, to wit, a 9 mm Hi-Point C-9 pistol, which previously had been shipped and transported in interstate and foreign commerce.

(Title 18, United States Code, Sections 922(g)(1) and 924(e).)

FORFEITURE ALLEGATION

10. As the result of committing the bank robbery offenses alleged in Counts One, Two, Three, Four, Five, Six, and Eight of this Indictment, ANDRE CALIX, the defendant, shall forfeit to the United States, pursuant to 28 U.S.C. § 2461(c) and 18 U.S.C. § 981(a)(1)(C), any property, real or personal, constituting or derived from proceeds traceable to the bank robbery offenses, including but not limited to \$15,393, in that such sum in aggregate is property representing the amount of the proceeds the defendant obtained as a result of the offenses.

SUBSTITUTE ASSETS PROVISION

11. If any of the property described above in paragraph 10 as being subject to forfeiture, as a result of any act or omission of the defendant,

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;

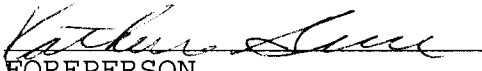
c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property.

(Title 18, United States Code, Sections, 981 and 982; Title 21, United States Code, Section 853(p); and Title 28, United States Code, Section 2461(c).)


FOREPERSON
July 31, 2013


PREET BHARARA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

ANDRE CALIX,
a/k/a "Greg Bernard,"

Defendant.

INDICTMENT

(18 U.S.C. §§ 2113(a) & (d), 922(g)(1),
924(c)(1)(A)(ii).)

PREET BHARARA

United States Attorney.

A TRUE BILL

Katharine Ann

Foreperson.

7/31/13 - Filed Indictment
Case assigned to Judge Patterson
Judge Maas
U.S.M.D.